

## WATER COUNCIL MEETING

Dept. of Environmental Services  
29 Hazen Dr., Concord, N.H.

January 9, 2008  
9:00 a.m.

**Members present:** Chairman Bridges, Councilors Bradley, Butler, Czysz , Cowan, Decker, Dupee, , Phillips, Rastallis, Rawnsley, and Varotsis

**Members absent:** Councilors Barrett, Christie, Densberger, Lussier, and Lyons.

John Bridges, Chairman, called the meeting to order at 8:59 a.m.

### 1. Approval of Minutes of December 13, 2007 Meeting

***A motion was made by Councilor Varotsis to accept the minutes of December 13, 2007, second by Councilor Bradley. The Council unanimously voted to approve this motion with the correction.***

### 2. Approval of State Aid Grants

Steve Snell of the Wastewater Engineering Bureau requested approval of two new state aid grants as set forth in a memo from Bureau Administrator Paul Heitzler, P.E. to Harry T. Stewart, P.E., Director, Water Division dated January 3, 2008.

***Councilor Cowan moved to approve the grants and recommend favorable action by the Governor and Executive Council by adoption of the following resolution in its entirety. Councilor Butler seconded the motion and it was unanimously voted.***

WHEREAS, the following municipalities have applied to the Department of Environmental services, under the provisions of RSA 486, for grants in the amounts listed to aid in the defraying of the costs resulting from the construction of sewage disposal facilities, as defined in said Chapter:

<u>Municipality</u>	<u>Proj. No.</u>	<u>Project Description</u>	<u>Amount</u>
Town of New London	C-756	George Mills Pump Station Improvements	\$ 131,086
Conway Vill. Fire District	C-757	Wastewater Master Plan	\$ 9,619

WHEREAS, The Department of Environmental Services has examined said applications as to the eligibility of the construction costs for a State contribution; and

WHEREAS, The Water Council finds that the said projects are intended to control or reduce pollution in the surface waters of the State, as defined in RSA 485-A.

NOW THEREFORE, The Water Council finds that all of the provisions of RSA 486 have been met by said applicants, and respectfully recommends that the Governor and

Executive Council approve said grants and authorize payment thereof through the Department of Environmental Services, as provided for in said Chapter.

### **3. Status of Appeals**

- **Docket No. 07-29 WC – Andrew and Karen Goldstein**

December 11, 2007 Notice of Appeal was received.

*Councilor Decker made a motion to accept the Notice of Appeal. Councilor Varotsis seconded the motion. The Council voted 10 in favor of this motion and 1 nay. Motion passed.*

- **Docket No. 07-19 WC – Presby Environmental Appeal**

December 12, 2007 Council voted to take up this appeal at the January meeting.

*Councilor Butler made a motion to Table this appeal. Councilor Rawnsley seconded the motion. The Council unanimously voted in favor to Table this motion.*

- **Docket No. 03-14 WC – Gerald A. Bell Appeal**

Stayed pending court action

- **Docket No. 04-05 WC - Freudenburg-NOK General Partnership Appeal**

Negotiations continue, progress is being made.

- **Docket No. 04-18 WC - Thaddeus Dymon Appeal**

Attorney A. Brooks reports the parties are trying to work this out before proceeding with the appeal.

- **Docket No. 04-19 WC - Town of Newport Appeal**

Attorney A. Brooks reports the parties are trying to work this out before proceeding with the appeal.

- **Docket No. 06-13 WC - Shane Forest Appeal**

Settlement negotiations are on-going.

- **Docket No. 07-05 WC - RRJ Properties LP Appeal**

Attorney A. Brooks reports there has been resolution and a withdrawal will be filed.

- **Docket No. 07-04 WC - Gerald A. Bell Appeal**

Council accepted the State's Motion to Continue on December 12, 2007.

- **Docket No. 07-11 WC William and Melissa Brouck**

Motion to Stay Proceedings was granted. A copy of a Consent Decree was mailed to the Rockingham County Superior Court, which was approved. The Consent Decree will settle all issues in the case and the Appellants will subsequently submit their withdrawal of the appeal. A withdrawal will be issued.

**4. Rules**

Env 1500 – Alteration of Terrain – Ridge Mauck

***Councilor Bradley made a motion to approve the Env – 1500 rules. Second by Councilor Varotsis. The Council unanimously voted in favor of this motion.***

Env – Dw 601 – Capacity Assurance for Public Water Systems.

Dw 602 - Capacity Assurance for Proposed Public Water Systems -  
Holly Green and Cindy Klevens

***Councilor Cowan made a motion to approve the Env – Dw 601 and Env Dw 602 rules. Second by Councilor Butler. The Council unanimously voted in favor of this motion.***

**5. Legislative Update: Harry Stewart**

Director Stewart distributed the latest DES water related for 2008. The House and Senate are working to get through their bills. He then reviewed the bills.

**6. Other Business**

None.

**7. Next Meeting**

The next meeting is scheduled for February 13, 2008.

**8. Adjournment**

***A motion was made by Councilor Cowan at 9:46 to adjourn. The motion was seconded by Councilor Butler and unanimously voted.***